

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 2600-01  
BILL NO.: SB 579  
SUBJECT: Alcohol; Motor Vehicle  
TYPE: Original  
DATE: December 21, 1999

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2000	FY 2001	FY 2002
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2000	FY 2001	FY 2002
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses  
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Public Safety - Missouri State Highway Patrol** and **Office of Prosecution Services** assume this proposal would have no fiscal impact on their agencies.

Officials of the **State Public Defender (SPD)** assume this proposal would have no fiscal impact on their agency.

Officials of the **Department of Revenue's (DOR) Drivers License Bureau** assume this proposal would have no fiscal impact on their agency.

Officials of the **Missouri Department of Transportation (MoDOT)** stated that this proposal seems to comply with the TEA 21 mandates for Open Container laws, except for lack of a current definition of the term alcoholic beverage.

Under the Transportation Equity Act for the 21<sup>st</sup> Century Restoration Act, a new program was established that requires states to enact Open Container laws. Any state which does not have an Open Container law by October 1, 2000, would have one and one-half percent of their federal surface transportation funds transferred from their highway construction program to their highway safety program. This amount would increase to three percent if there is no compliance with the TEA-21 mandates by October 1, 2002. For FY's 2001 and 2002, this amounts to a loss of approximately \$6.1 million in federal highway funds. For FY 2003 and beyond, this transfer would amount to \$12.4 million.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

PMM:LR:OD:005 (9-94)

L.R. NO. 2600-01  
BILL NO. SB 579  
PAGE 3 OF 3  
December 21, 1999

This proposal would prohibit the driver or passengers from consuming or possessing open alcoholic beverages in a motor vehicle. Passengers in a tour bus or recreational motor vehicle are exempted, as well as possession of an open alcoholic beverage container behind the last upright seat of a motor vehicle that is not equipped with a trunk.

This legislation is federally mandated under the Transportation Equity Act for the 21<sup>st</sup> Century Restoration Act which requires states to enact Open Container Laws. It would not duplicate any other program and would not require additional capital improvements or rental space.

#### SOURCES OF INFORMATION

Department of Revenue  
Department of Public Safety - Missouri State Highway Patrol  
Missouri Department of Transportation  
Office of Prosecution Services  
State Public Defender



Jeanne Jarrett, CPA  
Director  
December 21, 1999